

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

HENRY LEHMAN, et al.

v.

CITY OF FREDERICK, MARYLAND, et al.

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Civil Action No. CCB-08-1012

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ORDER

For the reasons stated in the accompanying Memorandum, it is hereby **ORDERED** that:

1. The defendants' motion to dismiss or for summary judgment (docket entry no. 6) is **DENIED** without prejudice as to the state law claims and **DENIED** as moot as to the federal claims;
2. The plaintiffs' motion to dismiss (docket entry no. 10) is **GRANTED**;
3. The federal claims (Counts 1, 2, and 3) are **DISMISSED** with prejudice;
4. The state law claims (Counts 4-12) are **DISMISSED** without prejudice; and
5. The clerk shall **CLOSE** this case.

September 22, 2008

Date

/s/

Catherine C. Blake

United States District Judge